

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

CASE NO.11-02007-MCF

RANDY TORRES RODRIGUEZ

CHAPTER 13

DEBTOR

TRUSTEE'S MOTION FOR
ENTRY OF DISMISSAL ORDER

TO THE HONORABLE COURT:

Comes now Alejandro Oliveras Rivera, Chapter 13 Trustee, and very respectfully states and prays:

1. On July 13, 2011 docket #22, the Trustee has filed a motion to dismiss for failure to:

- A) Submit DSO recipient information for Mrs. Beatriz Lopez Otero;
- B) Provide recent ASUME certification (2 DSO's both through ASUME) to verify amount of monthly obligation. He informs it's \$200 monthly for Emma Claudio and \$120 monthly for Beatriz Lopez; however, payroll deductions are for different amount;
- C) Amend schedule B to disclose account at COOP A/C Vega Alta and jewelry;
- D) Amend Schedules I and J to switch child support expense since it's paid through payroll deduction.

2. Although, on August 12, 2011, debtor requested until September 15, 2011, to properly address the issues raised at the 341 meeting; as of this date, debtor has failed to address the above mentioned.

3. The situation has created an undue delay prejudicial to creditors, which is in itself cause for dismissal pursuant to 1307(a)(1).

WHEREFORE, for the reasons stated above, it is respectfully requested from the Court to grant Trustee's motion to dismiss.

NOTICE

YOU ARE HEREBY NOTIFIED THAT YOU HAVE TEN (14) DAYS FROM THE DATE OF THIS NOTICE TO FILE AN OPPOSITION TO THE FOREGOING MOTION AND TO REQUEST A HEARING. IF NO OPPOSITION IS FILED WITHIN THE PRESCRIBED PERIOD OF TIME, THE TRUSTEE'S MOTION WILL BE DEEMED UNOPPOSED AND MAY BE GRANTED WITHOUT FURTHER HEARING UNLESS (1) THE REQUESTED RELIEF IS FORBIDDEN BY LAW; (2) THE REQUESTED RELIEF IS AGAINST PUBLIC POLICY; OR (3) IN THE OPINION OF THE COURT, THE INTEREST OF JUSTICE REQUIRES OTHERWISE. IF A TIMELY OPPOSITION IS FILED, THE COURT WILL SCHEDULE A HEARING AS A CONTESTED MATTER.

CERTIFICATE OF SERVICE: I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sent a notification of such filing to all those who in this case have registered for receipt of notice by electronic mail. I further certify that I have served to the U.S. Trustee, ustpregion21.hr.ecf@usdoj.gov and by depositing true and exact copies thereof in the United States Mail, postage prepaid, to the non CM/ECF participants: debtor(s) and parties in interest that have filed a notices of appearance included in the address list attached to the original and the Trustee's copy on file.

RESPECTFULLY SUBMITTED.

San Juan, Puerto Rico this, **OCT 05 2011**

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/s/ Alejandro Oliveras Rivera

ALEJANDRO OLIVERAS RIVERA

CHAPTER 13 TRUSTEE

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The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail or electronically sent to the parties listed below:

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